IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Original Jurisdiction

Dated: Nainital the 23rd day of August ,2002

Criminal Misc. Bail Application Number 757of 2002

Order on the Bail Application

CRIMINAL SIDE
Sompal son of Sri Data Ram, resident of village Tikola Kala, P.S. Manglore, District Hardwar

.....Applicant(s)

Versus

State of Uttaranchal. .....Opposite Party

Arising out of- Case crime no.153 of 2002,
Under sections 323,324,302/34,504,506 of I.P.C.,
P. S. Manglore,
District Hardwar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the learned A.G.A.

Accused-applicant wielded a sharp edged weapon in assaulting the victim Suresh at about 7 A.M. on 08.05.2002. He is named in the F.I.R. Pointing out to the allegations of the F.I.R. that other co-accused also severely assaulted the said victim, but only injury of sharp edged weapon was found on the person of the victim and that this aspect of the matter creates grave doubt in the prosecution version. Whatever may be the consequence of the allegations for others, there can be no doubt that the applicant-accused has been assigned specific role of use of sharp edged weapon fatal injury of which was found on the person of the victim. Considering this it is not a fit case for bail.

Bail application is rejected accordingly.

(Irshad Hussain, J.)

23.08.02./B.